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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

Arizona Corporation Commission

DOCKETED

APR 23 2015

SUSAN BITTER SMITH – Chairman
BOB STUMP
BOB BURNS
DOUG LITTLE
TOM FORESE

DOCKETED BY

IN THE MATTER OF JOHNSON UTILITIES,
L.L.C., dba JOHNSON UTILITIES
COMPANY FOR AN EXTENSION OF ITS
SEWER CERTIFICATE OF CONVENIENCE
AND NECESSITY IN PINAL COUNTY,
ARIZONA.

DOCKET NO. WS-02987A-07-0487

DECISION NO. 75032

ORDER EXTENDING TIME
DEADLINE IN DECISION NO. 70849

Open Meeting
April 14 and 15, 2015
Phoenix, Arizona

BY THE COMMISSION:

* * * * *

Having considered the entire record herein and being fully advised in the premises, the Arizona Corporation Commission ("Commission") finds, concludes, and orders that:

FINDINGS OF FACT

1. On March 17, 2009, the Arizona Corporation Commission ("Commission") issued Decision No. 70849, conditionally approving Johnson Utilities, L.L.C., dba Johnson Utilities Company's ("Johnson" or the "Company") application for an extension of its wastewater Certificate of Convenience and Necessity ("CC&N") to provide wastewater services in Pinal County, Arizona.¹

2. Decision No. 70849 required Johnson, among other things, to file within three years of the effective date of the Decision:

- a. Copies of the Approval to Construct ("ATC") issued by the Arizona Department of Environmental Quality ("ADEQ") for the wastewater facilities needed to serve each of the developments in the requested extension area.

¹ The Commission ordered that if Johnson achieved full compliance with the Arizona Department of Environmental Quality ("ADEQ") for its Pecan Water Reclamation Plant (ADEQ Inventory # 105324) on or before December 31, 2009, the extension of Johnson's wastewater CC&N shall become effective on the first day of the month following Johnson's filing with Docket Control proof of its compliance and the Utilities Division's ("Staff") confirmation of such compliance with Docket Control. On July 25, 2011, the Commission issued Decision No. 72502, finding that Johnson's Pecan Water Reclamation Plant was in compliance with ADEQ. Therefore, Decision No. 70849 became effective on August 1, 2011.

3. On July 30, 2014, Johnson docketed a request for a two year extension of time, until August 1, 2016, to file copies of the ATC issued by ADEQ for the wastewater facilities needed for the requested extension areas. Johnson's request stated that market conditions have delayed the anticipated start of the developments. Johnson also included updated request for service letters from two, but not all, of the developers in the extension area.

4. On March 4, 2015, Staff filed a Memorandum stating that Staff has no objection to the Company's request for an extension of time, until August 1, 2016, to file copies of the ATC as set forth in Decision No. 70849. However, Staff noted that that Johnson's July 30, 2014, request for an extension of time was docketed one day before the August 1, 2014, compliance due date. Staff recommends that the Company be required to file any future requests for an extension of the compliance deadline at least 90 days prior to the due date. Staff further recommends that future requests for an extension of time (in this and any other docket) include letters from 100 percent of the property owners when originally filed.

5. Staff's recommendations are reasonable and should be adopted.

CONCLUSIONS OF LAW

1. Johnson is a public service corporation within the meaning of Article XV of the Arizona Constitution and A.R.S. §§ 40-281 and 40-282.

2. The Commission has jurisdiction over Johnson and the subject matter of this proceeding.

3. It is reasonable and in the public interest to grant Johnson's request for a time extension to comply with Decision No. 70849.

ORDER

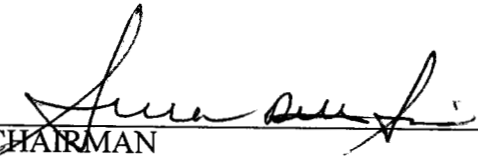
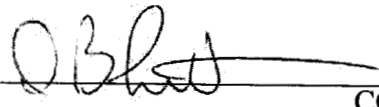
IT IS THEREFORE ORDERED that Johnson Utilities, L.L.C. is hereby granted an extension of time, until August 1, 2016, to comply with Decision No. 70849 by filing copies of the Approval to Construct, issued by the Arizona Department of Environmental Quality, for the wastewater facilities needed for the requested extension areas.

IT IS FURTHER ORDERED that future requests for an extension of time (in this and any other docket) shall include letters from 100 percent of the property owners in the extension area.

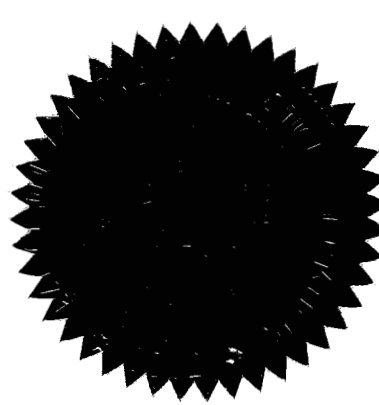
IT IS FURTHER ORDERED that any future requests for an extension of time to comply (in this docket or any other docket) shall be filed at least 90 days prior to the compliance due date.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.


BY ORDER OF THE ARIZONA CORPORATION COMMISSION.


CHAIRMAN  COMMISSIONER

 COMMISSIONER  COMMISSIONER  COMMISSIONER



IN WITNESS WHEREOF, I, JODI JERICH, Executive Director of the Arizona Corporation Commission, have hereunto set my hand and caused the official seal of the Commission to be affixed at the Capitol, in the City of Phoenix, this 23rd day of April, 2015.


JODI JERICH
EXECUTIVE DIRECTOR

DISSENT _____

DISSENT _____
YK:tv

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